

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

May 20, 2008

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Scott McCormick

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Elder Jimmie T. Hymes, from Faith Fellowship Church of God in Christ. Councilwoman Ware presented Elder Hymes with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

33. **RESOLUTION TO ALLOW PERSONS EMPLOYED WITH THE CITY'S DIVISION OF POLICE SERVICES, AFTER THE DATE OF THIS RESOLUTION, TO RESIDE WITHIN TWENTY (20) MILES OF THE COUNTY LINE OF SHELBY COUNTY, TENNESSEE. (HELD FROM 5/6)**

DROPPED

42. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE SOUTHWEST CORNER OF GEORGIA AVENUE AND FLORIDA STREET, CONTAINING 4,269 SQUARE FEET IN THE BLUFFVIEW RESIDENTIAL (R-B) DISTRICT.**

Case No. SAC 07-615

Held until the second meeting in May 2009

50. **RESOLUTION RECOGNIZING MR. JULIUS C. LEWIS.**

MOTION: Fullilove

SECOND: Brown

APPROVED, unanimous voice vote

39. **RESOLUTION APPROVING A HOTEL WAIVER FOR ROYAL INN & SUITES
LOCATED AT 3685 AMERICAN WAY.**

Held until June 19, 2008

MINUTES

**(Councilman Lowery made a motion to reconsider item #30 – Hotel Waiver for Budget Lodge,
which FAILED on May 6, 2008).**

(Special Item #1)

MOTION: Lowery

SECOND: Ware

AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Ford did not cast a vote

(Reconsideration APPROVED)

(Special Item #2 – Vote for Item #30 – Hotel Waiver for Budget Lodge)

MOTION: Lowery

SECOND: Ware

AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Flinn did not cast a vote

(APPROVED – Item #30 – Hotel Waiver for Budget Lodge, from May 6, 2008 Meeting)

Approval of the Minutes of the regular meeting of May 6, 2008 with the following motion:

MOTION: Strickland

SECOND: Ware

AYES: Boyd, Collins, Flinn, Ford, Fullilove, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown, Halbert and Hedgepeth did not cast a vote

APPROVED, as amended

49. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE ON MADISON AVENUE, BETWEEN REMBERT AND BARKSDALE STREETS IN HONOR OF THOMAS BOGGS. (HELD FROM 5/6)**

MOTION: Strickland
SECOND: McCormick
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Hedgepeth did not cast a vote

APPROVED

CONSENT AGENDA – Items 1-11 may be acted upon by one motion: SEE PAGE 2514 FOR ROLL CALL

1. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO INCREASE PENSION BENEFITS ALLOWABLE UNDER SECTION 25-95 AND SECTION 25-195, UP FOR F I R S T READING.**

Ordinance No. 5264

APPROVED, on First reading

2. **ORDINANCE TO AMEND CHAPTER 9, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO AMEND SECTION 9-56-11, PERTAINING TO AN INCREASE IN THE MONTHLY FEES CHARGED FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, UP FOR S E C O N D READING.**

Ordinance No. 5261

Director of Public Works and Director of Finance recommend approval

APPROVED, on Second reading

3. **ORDINANCE ESTABLISHING THE FISCAL YEAR 2009 OPERATING BUDGET FOR THE CITY OF MEMPHIS, UP FOR S E C O N D READING.**

Ordinance No. 5262

APPROVED, on Second reading

4. **ORDINANCE FIXING THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2009, UP FOR S E C O N D READING.**

Ordinance No. 5263

APPROVED, on Second reading

5. **RESOLUTION ACCEPTING PISGAH FOREST P.D. AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 00-377cc
(Contract No. CR-4804)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the wet side of Pisgah Road, north of Macon Road. The standard improvement contract was approved on July 15, 2003. Resolution also authorizes the release of the letter of credit in the amount of \$77,000.00. This action is subject to County approval.

APPROVED

6. **RESOLUTION APPROVING FINAL PLAT OF SHERRILL SUBDIVISION.**

Case No. S 03-031

Resolution approves the final plat located on the northeast corner of North Second Street, northwest of T.M. Henderson Avenue. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

7. **RESOLUTION APPROVING FINAL PLAT OF FULLER'S PERKINS ROAD SUBDIVISION.**

Case No. S 07-043

Resolution approves the final plat located on the southeast corner of Perkins Road and Normandy Lane. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

8. **RESOLUTION APPROVING FINAL PLAT OF BARTLETT COMMONS C-P, PHASE 5.**

Case No. Z 97-120

Contract No. CR-5107

Resolution approves the final plat located on the west side of Kirby Whitten Road, 524 feet south of Summer Avenue. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

9. **RESOLUTION APPROVING FINAL PLAT OF RUBY OAKS SUBDIVISION.**

Case No. S 07-041

Contract No. CR-5108

Resolution approves the final plat located on the southeast corner of Hernando Road and Alcy Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

10. **RESOLUTION APPROVING FINAL PLAT OF MEMPHIS INTERMODAL FACILITY OLD LAMAR AVENUE IMPROVEMENTS AND SEWER RELOCATION.**

Contract No. CR-5109

Resolution approves the final plat located on the east side of U.S. Highway 78, north of John's Creek. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

11. **RESOLUTION APPROVING FINAL PLAT OF GOODLETT FARMS EAST P.D., PHASE 16.**

Case No. PD 90-317cc

Resolution approves the final plat located on the southside of Goodlett Farms Parkway, 830 feet east of the intersection of Charles Bryan Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

APPROVED

MLGW FISCAL CONSENT – Items 13 -25 may be acted upon by one motion:

13. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 10783, EMERGENCY AID AGREEMENT, WITH DILLARD SMITH CONSTRUCTION IN THE FUNDED AMOUNT OF \$401,809.55. (THIS COVERS REIMBURSEMENT OF EXPENSES FOR LABOR, EQUIPMENT AND MEALS DUE TO THE STORM OF FEBRUARY 5, 2008.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO.10973, FLOOR MAINTENANCE, WITH KIMCO CORPORATION IN THE FUNDED AMOUNT OF \$22,318.67. (THIS RENEWS THE CONTRACT FOR THE FOURTH RENEWAL TERM, JULY 14, 2008 TO JULY 13, 2009.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 10977, TIRES AND TIRE SERVICE, WITH SOUTHERN TIRE MART, LLC, IN THE FUNDED AMOUNT OF \$511,290.16. (THIS RENEWS THE CONTRACT FOR THE FOURTH RENEWAL TERM, JUNE 12, 2008 TO JUNE 11, 2009.)**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11092, OVER-THE-PHONE INTERPRETER SERVICE, WITH LANGUAGE LINE SERVICES IN THE FUNDED AMOUNT OF \$112,200.00. (THIS INCREASES THE CONTRACT VALUE TO THE END OF THE CURRENT TERM ENDING JULY 31, 2008, AND RENEWS THE CONTRACT FOR THE SECOND RENEWAL TERM, AUGUST 1, 2008 TO JULY 31, 2009.)**

APPROVED

17. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11168, MEDICAL SERVICES, WITH NURSEFINDERS, INC. IN THE AMOUNT OF \$8,016.00. (THIS COVERS PAYMENT OF OUTSTANDING INVOICES AND A PLACEMENT FEE FOR A MEDICAL ASSISTANT.)**

APPROVED

18. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11208, WATER PRODUCTION WELL, WITH LAYNE-CENTRAL IN THE FUNDED AMOUNT OF \$15,680.00. (THIS COVERS 98' OF SURFACE CASING AT MALLORY WELL 1C.)**

APPROVED

19. **RESOLUTION AWARDED CONTRACT FOR ONE CABLE FAULT LOCATOR TO HIPOTRONICS C/O USI IN THE AMOUNT OF \$30,240.00.**

APPROVED

20. **RESOLUTION AWARDED 12-MONTH CONTRACT FOR DUCTILE IRON PIPE TO GRIFFIN PIPE PRODUCTS COMPANY IN THE AMOUNT OF \$1,906,393.00.**

APPROVED

21. **RESOLUTION AWARDED CONTRACT FOR STEEL EXPRESSWAY POLES TO UNION METAL C/O JOHN J. AERTKER COMPANY IN THE AMOUNT OF \$43,000.00.**

APPROVED

22. **RESOLUTION AWARDED 12-MONTH CONTRACT, WITH OPTION TO RENEW FOR TWO ADDITIONAL 12-MONTH PERIODS, FOR SELECTED AUTO PARTS TO NAPA-GENUINE PARTS COMPANY IN THE AMOUNT OF \$77,514.80.**

APPROVED

23. **RESOLUTION AWARDED 36-MONTH CONTRACT FOR SODIUM HYPOCHLORITE TO VERTEX CHEMICAL CORPORATION IN THE AMOUNT OF \$1,472,500.00.**

APPROVED

24. **RESOLUTION APPROVING EMPLOYMENT OF RANDOLPH OCCUPATIONAL MEDICAL SERVICES ON AN AS-NEEDED BASIS AT AGREED-UPON HOURLY RATES.**

APPROVED

25. **RESOLUTION GRANTING MLGW'S GENERAL COUNSEL CONTRACT AUTHORITY IN THE AMOUNT OF \$34,715.18 FOR ONE CLAIM SETTLEMENT CONTRACT.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Lowery
 SECOND: Fullilove
 AYES: Boyd, Collins, Flinn, Ford, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
 Brown, Fullilove and Halbert did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Item #12

12. **RESOLUTION AWARDING CONTRACT FOR TRUCKS, VANS AND SEDANS AS FOLLOWS: (HELD FROM 5/6)**

Gossett Motor Cars.....	\$370,036.30
Crossroads Ford.....	379,444.40
Golden Circle Ford.....	364,948.00
Total:	\$1,114,428.70

(Item #12 was divided into (2) Special Items, Special Item #3 was for Gossett Motor Cars & Crossroads Ford and Special Item #4 was for Golden Circle Ford)

(Special Item #3 – Gossett Motor Cars & Crossroads Ford)

MOTION: Ware
 SECOND: Flinn
 AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Ware and Chairman McCormick
 Strickland did not cast a vote

APPROVED

(Councilman Lowery made a motion that if Golden Circle Ford failed, the next bidder, which was Crossroads Ford, would get the contract. This was seconded by Councilwoman Ware).

(Special Item #4 – Golden Circle Ford)

MOTION: Ware
 SECOND: Hedgepeth

AYES: Flinn and Strickland
NAYS: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Ware and Chairman McCormick

FAILED, the contract was awarded to Crossroads Ford

26. **ORDINANCE AMENDING CHAPTER 5, CODE OF ORDINANCES, CITY OF MEMPHIS, TO UPDATE AND AMEND REGULATIONS REGARDING ANIMALS AND FOWLS BY ADDING SECTIONS 5-41 THROUGH 5-44 ESTABLISHING AN ANIMAL SHELTER ADVISORY COMMITTEE, FOR THE PURPOSE OF ADVISING THE ANIMAL SHELTER ON MATTERS RELATED TO THE HUMANE OPERATION OF THE ANIMAL SHELTER, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5260

MOTION: Brown
SECOND: Ford
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Hedgepeth did not cast a vote

APPROVED

27. **RESOLUTION TO DESIGNATE A CHARITABLE GIFT OF FORTY (40) CONTINUOUS POSITIVE AIRWAY PRESSURE UNITS FROM THE COMMUNITY FOUNDATION OF GREATER MEMPHIS FOR USE BY THE DIVISION OF FIRE SERVICES.**

MOTION: Hedgepeth
SECOND: Ware
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

28. **RESOLUTION ALLOCATING AND APPROPRIATING \$232,330.00 TO THE FISCAL YEAR 2008 OPERATING BUDGET TO ENHANCE THE CAPABILITIES OF STATE AND LOCAL EMERGENCY PREPAREDNESS AND RESPONSE PERSONNEL THROUGH THE DEVELOPMENT OF A STATE AND URBAN AREA HOMELAND SECURITY-TRAINING PROGRAM FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$232,330.00.**

MOTION: Hedgepeth
SECOND: Boyd
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick

Ford did not cast a vote

APPROVED

29. **RESOLUTION APPROPRIATING \$58,000.00 IN GS01001, CITY HALL IMPROVEMENTS FOR VARIOUS UPGRADES AND RENOVATIONS TO CITY HALL.**

MOTION: Morrison
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

30. **RESOLUTION APPROPRIATING THE BID AMOUNT OF \$21,844.00 PLUS CONTINGENCY IN THE AMOUNT OF \$1,756.00 IN CONSTRUCTION FUNDS, FUNDED BY G.O. BONDS GENERAL, FOR A TOTAL CONTRACT AMOUNT OF \$23,600.00 FOR LICHTERMAN SLAB REPAIR.**

Council did include Lichterman Water Remediation, CIP Project Number PK08013 as part of the FY 2008 Capital Improvement Program. Two bids were received on March 28, 2008 for Lichterman Slab Repair with the lowest and best bidder being the firm of Uretek ICR Mid-South in the amount of \$21,844.00.

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

31. **RESOLUTION ALLOCATING \$756,000.00 IN ARCHITECT/ENGINEERING FUNDS, \$6,300,000.00 IN CONSTRUCTION FUNDS, \$500,000.00 IN FURNITURE FIXTURES AND EQUIPMENT AND \$85,000.00 IN INFORMATION TECHNOLOGY FUNDS, FUNDED BY G.O. BONDS GENERAL. RESOLUTION ALSO SEEKS TO APPROPRIATE \$756,000.00 IN ARCHITECTURE/ENGINEERING.**

DROPPED

32. **RESOLUTION AMENDING THE FY 2008 CAPITAL IMPROVEMENT BUDGET BY ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$99,346.00 FOR CIP PROJECT NUMBER PK01024, COMMUNITY CENTER IMPROVEMENTS. RESOLUTION**

ALSO SEEKS TO APPROPRIATE \$99,346.00 IN FURNITURE, FIXTURES AND EQUIPMENT.

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

34. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$350,000.00 FROM THE STATE OF TENNESSEE, OFFICE OF JUSTICE PROGRAMS TO IMPLEMENT THE INTERNET CRIMES AGAINST CHILDREN INITIATIVE TO ENHANCE INVESTIGATIONS AND INCREASE FORENSIC CAPABILITIES. RESOLUTION ALSO AMENDS THE FY 2008 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Hedgepeth
SECOND: Brown
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

35. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$340,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR THE OPERATION AND MAINTENANCE OF THE MEMPHIS/SHELBY COUNTY HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY.**

Director of Public Works and Director of Finance recommends approval

MOTION: Morrison
SECOND: Boyd
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford, did not cast a vote

APPROVED

36. **RESOLUTION AMENDING THE FY 2008 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$334,218.00 FUNDED BY SEWER REVENUE BONDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO CASTALIA PERSON AND BNSF RAILROAD, PROJECT NUMBER SW02069 FOR**

THE REPLACEMENT OF EXISTING SEWER LINE. RESOLUTION ALSO APPROPRIATES \$334,218.00 FUNDED BY SEWER REVENUE BONDS FOR CASTALIA PERSON SEWER REPAIR, PROJECT NUMBER SW02069 FOR A CONSTRUCTION CONTRACT WITH ENSCOR, LLC FOR THE REPLACEMENT OF EXISTING SEWER LINE.

MOTION: Morrison
SECOND: Boyd
AYES: Boyd, Brown, Collins, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Flinn and Ford did not cast a vote

APPROVED

37. **ORDINANCE REZONING THE WEST SIDE OF GETWELL ROAD; +805 FEET NORTH OF CROWFARN DRIVE, CONTAINING 2.26 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5259
Case No. Z 08-101

Applicant: John R. McCommon
SR Consulting, LLC – Cindy Reaves – Representative

Request: Light Industrial (I-L) District

LUCB and OPD recommendation: APPROVAL

MOTION: Lowery
SECOND: Morrison
AYES: Boyd, Brown, Collins, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Flinn and Ford did not cast a vote

APPROVED

40. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF UNION AVENUE AND E. PARKWAY SOUTH, CONTAINING 6.49 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT.**

Case No. PD 06-368

Applicant: Memphis Theological Seminary
Nathan Bicks – Burch, Porter & Johnson, PLLC – Representative
Brenda Solomito – Solomito Land Planning - Representative

Request: Planned development to permit a college/university as an institutional campus with accessory facilities

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Brown

AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED, as amended

38. **RESOLUTION APPROVING A HOTEL WAIVER FOR QUALITY SUITES, 8166 VARNAVAS DRIVE, CORDOVA, TENNESSEE.**

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown and Ford did not cast a vote

APPROVED

41. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF BIG CREEK DRAINAGE CANAL; SOUTH SIDE OF WOODSTOCK CUBA ROAD, CONTAINING 303.88 ACRES IN THE AGRICULTURAL (AG) DISTRICT.**

Case No. PD 08-309cc

Applicant: Big Creek Golf, LLC

Request: Planned development to allow for a site plan review and development phases of an existing golf course and a new clubhouse and other accessory facilities

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown, Collins and Ford did not cast a vote

APPROVED

43. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE SOUTHWEST CORNER OF GEORGIA AVENUE AND FLORIDA STREET, CONTAINING 4,269 SQUARE FEET IN THE BLUFFVIEW RESIDENTIAL (R-B) DISTRICT.**

Case No. SAC 07-615

Applicant: State Place, LLC

Request: Close and vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Boyd

AYES: Boyd, Brown, Flinn, Fullilove, Lowery, Morrison, Strickland, Ware and Chairman McCormick

NAY: Collins

Hedgepeth recused

Ford and Halbert did not cast a vote

APPROVED

(Councilman Lowery instructed the applicant on this case to notify the S. Main Association to make sure they do not object to this closure. The applicant has to report back to Councilman Lowery before the Minutes are approved for this street/alley closure).

44. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED \pm 127.03 FEET WEST OF DUNLAP STREET, CONTAINING 1,575 SQUARE FEET IN THE LIGHT INDUSTRIAL (I-L) AND SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICTS.**

Case No. SAC 07-616

Applicant: FPC Realty
Charles Goforth – Representative

Request: Close and vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

Ford did not cast a vote

APPROVED

45. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ±225 FEET SOUTH OF GENE LOGAN DRIVE, CONTAINING 8,090 SQUARE FEET IN THE LIGHT INDUSTRIAL (I-L) AND SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICTS.**
Case No. SAC 07-617

Applicant: FPC Realty
Charles Goforth – Representative

Request: Close and vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
SECOND: Morrison
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Ford did not cast a vote

APPROVED

46. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON RESOURCES DRIVE BEGINNING ON THE EAST SIDE OF SYCAMORE VIEW ROAD AND THE WEST SIDE OF DOVECREST ROAD, CONTAINING 17,130 SQUARE FEET IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT.**
Case No. SAC 07-618

Applicant: Kenneth Hunt
Michael Fahy – Prime Development Group, Inc. – Representative

Request: Street Closure

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
SECOND: Morrison
AYES: Brown, Collins, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Boyd and Ford did not cast a vote

APPROVED

47. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHEAST SIDE OF LAMAR AVENUE (U.S. 78) AT DUNN AVENUE, CONTAINING 2.0 ACRES IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT.**
Case No. SUP 08-208

Chairman McCormick recognized the following people who spoke from the audience:

Ralph S. Hayes, 1632 Joanne St., Memphis, TN. 38111
Pastor Jerry Ivery, 1979 S. Parkway East, Memphis, TN. 38114
Lindia King, 1740 Vollintine Ave., Memphis, TN. 38107
Sam Patel, 4060 Lamar Avenue, Memphis, TN. 38118
Nathan Whitlock, 2784 Byrd, Memphis, TN. 38114
Trennie Lanier Williams, 5407 Elmhurst Ave., Memphis, TN. 38115
Willie E. Wilson, 2668 Filmore Ave., Memphis, TN. 38114

Held until June 17, 2008

48. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF VANUYS ROAD; 203 FEET EAST OF CATALINA STREET, CONTAINING 1.73 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT.**

Case No. SUP 08-209

Chairman McCormick recognized the following person who spoke from the audience:

Patrick O'Leary, 2140 Black Oak Drive, Memphis, TN. 38119

Applicant: Tower Ventures V, LLC

Request: Cell Tower (130 ft. monopole with flush-mounted CMCS antennae)

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Flinn recused
Brown did not cast a vote

APPROVED

51. **RESOLUTION APPROVING A HOTEL WAIVER FOR HOLIDAY INN LOCATED AT 2240 DEMOCRAT ROAD, MEMPHIS, TN 38132.**

Chairman McCormick recognized the following person from the audience:

Robert J. Pinstein, 1669 Kirby Parkway, Memphis, TN. 38120

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Collins, Ford, Halbert, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown, Flinn, Fullilove and Hedgepeth did not cast a vote

APPROVED

(Special Item #5) - Approval of the Minutes of Special Item #3, Special Item #4 and Item #25, from tonight's meeting

MOTION: Strickland
SECOND: Collins
AYES: Boyd, Collins, Ford, Halbert, Lowery, Morrison, Strickland,
Ware and Chairman McCormick
Brown, Flinn, Fullilove and Hedgepeth did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman McCormick recognized the following people who spoke from the audience:
Walter Broady, 4256 Ledbetter Cove, Memphis, TN. 38109
Brian Weston, 5548 Montpelier Drive, Memphis, TN. 38134
Georgia A. King, 741 Adams Ave., #101, Memphis, TN. 38105

ADJOURNED MEETING AT 6:45 P.M.

.....
Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records